

# State of South Dakota

NINETIETH SESSION  
LEGISLATIVE ASSEMBLY, 2015

400W0136

## SENATE BILL NO. 38

Introduced by: The Committee on Judiciary at the request of the Department of Public Safety

1 FOR AN ACT ENTITLED, An Act to revise certain provisions concerning the state  
2 communications system and the South Dakota law enforcement telecommunications system.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 1-13-1 be amended to read as follows:

5 1-13-1. The Bureau of Information and Telecommunications may purchase the necessary  
6 apparatus and equipment to construct or establish a state communications system which shall  
7 be used solely for the transmission of business and information for state, federal, and local  
8 government and other public safety entities. The bureau may also purchase receiving sets in such  
9 quantities as may be most economical to facilitate the speedy transmission of messages and state  
10 information.

11 The bureau is charged with the operation and maintenance of the state communications  
12 system. However, the Department of Public Safety shall operate and maintain the South Dakota  
13 law enforcement telecommunications system.

14 Section 2. That § 1-13-3 be amended to read as follows:

15 1-13-3. The Bureau of Information and Telecommunications may employ such operators and



1 assistants and such equipment necessary to carry out the provisions of this chapter. The costs  
2 of maintaining and ~~the operation of~~ operating a state voice communications system and all  
3 receiving sets owned or operated by the bureau shall be paid out of the appropriation for the  
4 bureau. The costs for operation and maintenance of the South Dakota law enforcement  
5 telecommunications system shall be paid out of the radio communications fund.

6 Section 3. That § 1-13-5 be amended to read as follows:

7 1-13-5. The Bureau of Information and Telecommunications and the Department of Public  
8 Safety may apply for, accept, and expend on behalf of the state communications system any  
9 appropriations, grants, matching funds, or moneys allotted to the State of South Dakota by the  
10 federal government pursuant to any act of Congress of the United States. The funds so received  
11 by the State of South Dakota shall be administered and expended under the supervision of the  
12 bureau or the department to purchase the necessary apparatus and equipment for new  
13 construction and equipment improvements in the state communications system. Such funds shall  
14 be deposited in the state treasury to be paid out on warrants drawn by the state auditor on  
15 vouchers approved by the commissioner of the bureau or the secretary of public safety.

16 Section 4. That § 1-13-8 be amended to read as follows:

17 1-13-8. The ~~Bureau of Information and Telecommunications~~ Department of Public Safety  
18 shall broadcast all police dispatches and reports submitted, which have a reasonable relation to,  
19 or connection with, the apprehension of criminals, the prevention of crime, or the maintenance  
20 of peace and order in the state. The ~~bureau~~ department shall also broadcast any other statement  
21 or report upon request of any constitutional officer, or the head of any state department,  
22 providing such message relates to state business.

23 Section 5. That § 1-13-11 be amended to read as follows:

24 1-13-11. The ~~Bureau of Information and Telecommunications may establish~~ Department of

1 Public Safety may operate and maintain a unified ~~teleprinter data~~ network to interconnect  
2 various law enforcement agencies in South Dakota by written communications. The ~~Bureau of~~  
3 ~~Information and Telecommunications~~ department may also purchase or lease the necessary  
4 ~~teleprinters and other~~ apparatus and equipment to construct, maintain, and control the ~~teleprinter~~  
5 law enforcement communications network.

6 Section 6. That § 1-13-12 be amended to read as follows:

7 1-13-12. The state shall furnish to the ~~division of highway patrol of the~~ Department of  
8 Public Safety and the Office of the Attorney General ~~teleprinters and other~~ all the necessary  
9 equipment.

10 Section 7. That § 1-13-13 be amended to read as follows:

11 1-13-13. Each county within the state shall furnish to the sheriff of that county a ~~teleprinter~~  
12 data terminal and other necessary equipment of a type specified by the ~~Bureau of Information~~  
13 ~~and Telecommunications~~ Department of Public Safety.

14 Section 8. That § 1-13-14 be amended to read as follows:

15 1-13-14. Any first or second class municipality may apply to participate in the ~~unified~~  
16 ~~teleprinter network~~ South Dakota law enforcement telecommunications system. If the  
17 application is approved by the ~~Bureau of Information and Telecommunications~~ Department of  
18 Public Safety, the participating municipality shall furnish its police department with a ~~teleprinter~~  
19 data terminal and other necessary equipment of a type specified by the ~~Bureau of Information~~  
20 ~~and Telecommunications~~ department.

21 Section 9. That § 1-13-15 be amended to read as follows:

22 1-13-15. The ~~attorney general~~ Department of Public Safety may authorize other law  
23 enforcement agencies to participate in the ~~unified teleprinter network~~ South Dakota law  
24 enforcement telecommunications system upon such terms and conditions as are necessary to

1 protect the security of the network.

2 Section 10. That § 1-13-16 be amended to read as follows:

3 1-13-16. The ~~attorney general~~ Department of Public Safety may adopt rules ~~and regulations,~~  
4 pursuant to chapter 1-26, establishing procedures for operation, maintenance, and control of the  
5 ~~unified teleprinter network~~ South Dakota law enforcement telecommunications system.

6 Section 11. That § 1-13-17 be amended to read as follows:

7 1-13-17. The ~~attorney general~~ Department of Public Safety shall terminate service to any  
8 installation on the ~~network when he shall determine~~ South Dakota law enforcement  
9 telecommunications system if the department determines that there is a risk of violation of the  
10 security or privacy restriction imposed by state or federal statutes.